

HOUSE BILL 421

M4

0lr0047

By: **Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)**

Introduced and read first time: January 29, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2010

CHAPTER _____

1 AN ACT concerning

2 **Department of Agriculture – Advertising Agricultural Products as Locally**
3 **Grown – Regulatory Authority**

4 FOR the purpose of authorizing the Secretary of Agriculture to adopt standards under
5 certain conditions to regulate the advertising of certain agricultural products;
6 requiring the Secretary to convene and consult with a certain advisory group
7 before adopting certain standards; prohibiting a person from advertising or
8 identifying certain agricultural products in violation of certain standards; and
9 generally relating to the advertising of agricultural products as locally grown.

10 BY adding to

11 Article – Agriculture

12 Section 10–1701 and 10–1702 to be under the new subtitle “Subtitle 17.
13 Advertising or Identifying Agricultural Products as Locally Grown”

14 Annotated Code of Maryland

15 (2007 Replacement Volume and 2009 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Agriculture**

19 **SUBTITLE 17. ADVERTISING OR IDENTIFYING AGRICULTURAL PRODUCTS AS**
20 **LOCALLY GROWN.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **10-1701.**

2 ~~THE~~ **(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**
3 **SECRETARY MAY ADOPT STANDARDS TO REGULATE THE USE OF THE TERMS**
4 **“LOCALLY GROWN” AND “LOCAL” TO ADVERTISE OR IDENTIFY AN**
5 **AGRICULTURAL PRODUCT.**

6 **(B) BEFORE ADOPTING STANDARDS UNDER THIS SECTION, THE**
7 **SECRETARY SHALL CONVENE AND CONSULT WITH AN ADVISORY GROUP OF**
8 **INTERESTED STAKEHOLDERS, INCLUDING REPRESENTATIVES FROM**
9 **ORGANIZATIONS THAT REPRESENT:**

- 10 **(1) FARMERS;**
- 11 **(2) FOOD DISTRIBUTORS;**
- 12 **(3) RETAIL STORES;**
- 13 **(4) FOOD SERVICE INDUSTRIES; AND**
- 14 **(5) RESTAURANTS.**

15 **10-1702.**

16 **A PERSON MAY NOT ADVERTISE OR IDENTIFY ANY AGRICULTURAL**
17 **PRODUCT IN VIOLATION OF THE STANDARDS ADOPTED BY THE SECRETARY**
18 **UNDER § 10-1701 OF THIS SUBTITLE.**

19 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
20 **October 1, 2010.**

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.